

Received & Inspected

MAY 16 2011

FCC Mail Room

Appeal Letter for 131327

Application #: 635902

**Appeal Letter for 131327 (Covert Public Schools, Covert, MI.)**

**CC Docket No. 02-6**

**Form 471 Application Number: 635902**

**FRN: 1759496**

**Funding Commitment Decision Letter for Funding Year: 2008**

**Billed Entity Number: 131327**

**Billed Entity Name: Covert Public School District**

**Form Identifier: Covert 08 Phone**

**FCC Registration Number: 0002734267**

**Date of USAC Appeal Denial Letter: April 19, 2011**

**Service Provider: All-Tronics**

**SPIN: 143004332**

**Contact Name: Rick Jones, Principal**

**Contact Address: 35323 M-140 Highway, Covert, MI 49043**

**Contact Telephone Number: (269) 764-3720**

**Contact Fax Number: (269) 764-8598**

**Contact E-mail Address: [jonesr@covertps.org](mailto:jonesr@covertps.org)**

**Appeal Prepared By: Janelle Morgan, USF Consultant**

**Phone Number: (800) 705-9703**

**Fax Number: (815) 717-9761**

**E-mail Address: [Janelle@elitefund.com](mailto:Janelle@elitefund.com)**

On January 27, 2011, the service provider submitted the SPI to USAC for FRN 1759496. He received a notice indicating that "...68; *Ship Date After Contract Expiration Date; 226; Ship Date Outside of Funding Year;*" (see Attachment B). He forwarded this notice to the school's E-rate consultant. The consultant called USAC and spoke with Kathy (case number 22-158646). Kathy informed the consultant that the deadline to install this equipment was 9/30/2010 and not 1/28/2011, which was the invoice deadline date. The consultant interpreted the invoice deadline date pulled from the Data Retrieval tool to mean the last day to install the equipment and advised the school district that 1/28/2011 was the last day to install. Because the school was struggling to come up with their 10% of the cost for the much needed phone system, we wanted to wait as long as possible to perform this work. Unfortunately, the information from the Data Retrieval tool was misinterpreted to mean that the last day to do the work and invoice was 1/28/2011 which led to a denial of payment. Per Kathy, a Form 500 was filed for this FRN (see Attachment C), an Invoice Deadline Extension Request (see Attachment D), and a Service Deadline Extension Request (see Attachment E). All of these were submitted on January 28, 2011.

As stated above, the school district desperately needed this phone system as it had been failing for some time. Due to unanticipated property reclassifications which reduced the amount of local income the district had to make significant budget cuts during the 2009-2011 school years. These budget cuts led to delays in the project and given the understanding of the timelines the district chose to do the project in January when we could more easily allocate the 10% needed for our share of the expense to pay for this phone system. The consultant was under the impression that the Data Retrieval Tool on the USAC website was where all pertinent information could be found. Acting on the advice of our contracted ERATE consultant the Form 500 and service deadlines were missed.


On behalf of Covert Public Schools, I strongly ask you to reconsider this decision and support payment for this project. As a very small school district, Covert Public Schools benefits greatly from the E-rate program and has complied with the rules to the best of our ability. Without this help, our school district struggles to attain the technology needed to benefit our children and to serve our community.

Thank you very much for your time and consideration of this appeal. If there is anything else I can provide you to help clarify this appeal request, please do not hesitate to contact me.

Most respectfully,

Rick Jones

Authorized Signature:

  
Rick Jones, Principal  
Covert Public Schools

Date: May 10, 2011



Attachment A  
(page 1)

Schools and Libraries Division

### Administrator's Decision on Implementation Extension Request

April 19, 2011

Mr. Rick Jones  
Covert Public School District  
35323 M-140 Highway  
Covert, MI 49043

471 Application Number: 635902  
Funding Request Number(s): 1759496  
Your Correspondence Dated: January 28, 2011

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one Form 471 Application, please note that for each application you will receive a separate determination letter.

**Decision on Appeal: Denied in full**

Explanation: Request received after the FCC deadline for implementation Deadline Extension requests which was 09/30/2010

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

#### TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - Appellant name,

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Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

Attachment A  
(page 2)

- Applicant or Service Provider name,
  - BEN and/or SPIN,
  - Form 471 and FRN,
  - Invoice number as assigned by SLD,
  - "Administrator's Decision on Implementation Extension Request" dated April 19, 2011  
**AND**
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Joan Guinther, All-Tronics, Inc.

## Attachment B

143004332|All-Tronics, Inc.|jguinther@all-  
tronics.com|usacstatement@universal-service.org|C000435393|1|0.00|1/27/2011|N  
143004332|1759496|072379|0.00|"SLD Invoice Number:1441921;Line Item Detail  
Number:4811972;Amount Requested:36409.50;Ship Date [01/26/2011] > [09/30/2010]  
Ship Extension Date; one time cost;82;Ship Date> [90] days 471 Term or Cnt  
Ext;68;Ship Date After Contract Expiration Date;226;Ship Date Outside of Funding  
Year;286;"

FCC Form 500

Do Not Write In This Area

Approval by 3060-0853  
Estimated time per response:  
1.5 hours

**Universal Service for Schools and Libraries  
Adjustment to Funding Commitment and  
Modification to Receipt of Service Confirmation Form**

**Please read instructions before completing.**

(To be completed by Schools and Libraries or Consortia.)

Applicant's Form Identifier: Covert 2008 Alltronics  
(Create your own code to identify THIS Form 500)Form 500 Application Number:  
(To be assigned by administrator.)**Block 1: Applicant Information**

1. Name of Billed Entity Covert Public Schools		2. Billed Entity Number 131327	3. Funding Year 2008
4. Complete Mailing Address of Billed Entity Applicant Street Address, P. O. Box or Route Number			
35323 M-140 Highway	Covert	MI	49043
10-Digit Phone Number (269) 764-3720	Fax Telephone Number (269) 764-8598	Email Address www.covertpublicschools.org	
5. Contact Person Information			
Contact Person Name Rick Jones			
Mailing Address Street Address, P. O. Box or Route Number			
35323 M-140 Highway	Covert	MI	49043
10-Digit Phone Number (269) 764-3720	Fax Telephone Number (269) 764-8598	Email Address jonesr@covertps.org	

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

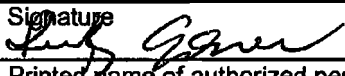
Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

Billed Entity Name <u>Covert Public Schools</u>		Contact Name <u>Rick Jones</u>
Billed Entity Number <u>131327</u>		Contact Telephone Number <u>(269) 764-3720</u>
<b>Block 2: Services Adjustment: Fill in one Block 2 for EACH Funding Request (FRN) affected.</b> If you are submitting more than one Block 2, please number your pages 2A, 2B, 2C, etc. and write the number in the space provided here: <span style="float: right;">Page 2</span>		
5. Provide the following information about each service cited in your Form 471 Block 5, Discount Funding Request, (FRN) for which you want to take one of the following actions: <b>Remember: The FRNs listed on this form must be for the same Funding Year as listed in Item 3, Block 1.</b> <b>New Start Date:</b> If you wish to change the Funding Year Service Start Date you listed on a previously filed Form 486 in this funding year. This action will NOT result in more funding. <b>Contract Expiration Date:</b> If you wish to change the ending date for services. This action will not result in more funding but you could combine it with a reduction in funding. <b>Cancel:</b> If you wish to cancel a Funding Request Number. Please note: This action is irrevocable and the FRN can NOT be reinstated later. This action would allow money to be put back into the Universal Service fund for possible commitment to other applicants. <b>Reduce:</b> If you wish to reduce the amount of your funding commitment for a particular FRN. This action is irrevocable and the FRN can NOT be increased later. This action would allow money to be put back into the Universal Service fund for possible commitment to other applicants.  The information required can be found in your Funding Commitment Decision Letter (FCDL) pertaining to the Funding Request (FRN) being affected.  To launch the submission of invoices for payment, please file <b>Form 486</b> .		
<b>IDENTIFICATION OF THE FRN TO BE ADJUSTED</b>		
(A) Form 471 Application Number: <u>635902</u>		
(B) Funding Request Number: <u>1759496</u>		
(C) Billing Account Number: <u>N/A</u>		
(D) Service Provider Name: <u>Alltronics</u>		
(E) Service Provider SPIN: <u>143004332</u>		
<b>ADJUSTMENT TO FRN LISTED ABOVE:</b>		
<b>(F) Service Start Date</b>	Original Date (mm/dd/yyyy):	New Date (mm/dd/yyyy):
Change Date		
<b>(G) Contract Expiration Date</b>	Original Date (mm/dd/yyyy):	New Date (mm/dd/yyyy):
Change Date	06/03/2009	06/30/2011
<b>(H) Cancel FRN</b>	Original Commitment Amount:	New Commitment Amount:
Please Cancel		\$0.00
<b>(I) Reduce FRN</b>	Original Commitment Amount from FCDL:	New Commitment Amount AFTER Reduction:
Please Reduce		

<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Do Not Write In This Area</div>	
<b>Billed Entity Name</b> <u>Covert Public Schools</u>	<b>Contact Name</b> <u>Rick Jones</u>
<b>Billed Entity Number</b> <u>131327</u>	<b>Contact Telephone Number</b> <u>(269) 764-3720</u>
<b>Block 3: Certification</b>	
<p>7. I certify that I am authorized to submit this form on behalf of the above-named billed entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.</p> <p>8. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services.</p> <p>9. I recognize that I may be audited pursuant to this application and will retain for five years any and all records that I rely upon to fill in this form.</p>	
<b>10. Signature</b> 	<b>11. Date</b> 01/27/2011
<b>12. Printed name of authorized person</b> Rick Jones	
<b>13. Title or position of authorized person</b> Principal	
<b>14. Telephone number of authorized person</b> (269) 764-3720	
<b>15. E-Mail address of authorized person</b> jonesr@covertps.org	
<b>16. Address of authorized person</b> 35323 M-140 Highway, Covert, MI 49043	

A paper copy of this form, with an authorized signature in Block 3, Item 10 should be mailed to:

SLD Form 500  
 P. O. Box 7026  
 Lawrence, Kansas 66044-7026

If sent by express delivery services or U.S. Postal Service, Return Receipt Requested, the form should be mailed to:

SLD-Forms  
 ATTN: SLD Form 500  
 3833 Greenway Drive  
 Lawrence, Kansas 66046  
 888-203-8100



**Invoice Deadline Extension Request  
BEN: 131327 (Covert Public School District)**

<b>Contact Person's Name:</b>	Mr. Rick Jones
<b>Contact Information:</b>	35323 M-140 Highway Covert, MI 49043 <a href="mailto:jonesr@covertps.org">jonesr@covertps.org</a>
<b>Form 471 Application Number:</b>	635902
<b>Funding Request Numbers:</b>	1759496
<b>Service Provider Names:</b>	All-Tronics
<b>Service Provider Identification Numbers (SPIN):</b>	143004332
<b>Invoice Number:</b>	1441921
<b>Amount of Invoice:</b>	\$36,409.50
<b>Reason for Invoice Deadline Extension Request:</b>	Covert Public Schools thought that because the Data Retrieval Tool indicated the last day to invoice was 1/28/2011 that this also meant the last day to install the equipment. The school has desperately needed this phone system upgrade but could not afford to pay their 10% until January 2011. We were unaware that a Form 500 and a Service Delivery Deadline Extension Request was needed in order to extend the installation of this work. We ask that you strongly consider this request as we cannot afford to pay for this phone system without the help of E-rate funds.

Thank you very much for your consideration of this request. If you need any additional information, please do not hesitate to contact me.

Sincerely,



Mr. Rick Jones, Principal  
Covert Public Schools  
(269) 764-3720

**Janelle Morgan**

---

**From:** sldnoreply@sl.universalservice.org  
**Sent:** Friday, January 28, 2011 11:40 AM  
**To:** janelle@elitefund.com  
**Subject:** RE: Initial Contact- Case 22-158821

Thank you for your inquiry. Your request has been forwarded to the appropriate department.

If you have any further questions, please feel free to contact our Schools and Libraries Helpline at 1-888-203-8100. Please remember to visit our website for updates: <http://www.usac.org/sl>

Thank you,  
Schools and Libraries Division  
Universal Service Administrative Company

-----Original Message-----

**From:** janelle@elitefund.com  
**Subject:** Initial Contact

[FirstName]=Janelle  
[LastName]=Morgan  
[JobTitle]=Consultant  
[EmailAddress]=janelle@elitefund.com  
[WorkPhone]=8007059703  
[FaxPhone]=8157179761  
[PreviousCaseNumber]=0

[FormType]=Other  
[Owner]=TCSB  
[DateSubmitted]=1/28/2011 9:05:14 AM  
[AttachmentFlag]=Y[Question2]=I am submitting an Invoice Deadline Extension Request for Covert Public Schools (BEN 131327). Thank you.

Attachment D (page 3)

**Janelle Morgan**

**From:** Janelle Morgan [janelle@elitefund.com]  
**Sent:** Friday, January 28, 2011 9:10 AM  
**To:** 'sldcaseattachments@sl.universalservice.org'  
**Cc:** 'JONES, RICKY'  
**Subject:** RE: SLD Inquiry #: 22-158821 Received  
**Attachments:** Signed Invoice Extension - Alltronics.pdf

Please see the attachment; thank you!

**Janelle Morgan**

Elite Fund, Inc.  
Phone: (989) 283-1200 or (800) 705-9703  
Fax: (815) 717-9761  
406 N. State St., PO Box 125  
Stanton, MI 48888  
Consultant Registration Number: 16043589  
E-mail: janelle@elitefund.com  
Web: www.elitefund.com  
"Grow and Expand Educational Opportunities Through Technology"

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**From:** sldcaseattachments@sl.universalservice.org [mailto:sldcaseattachments@sl.universalservice.org]  
**Sent:** Friday, January 28, 2011 9:06 AM  
**To:** janelle@elitefund.com  
**Subject:** SLD Inquiry #: 22-158821 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-158821.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

You indicated in your submission that you wish to send us an attachment. To submit an attachment, please reply to this message and attach your attachment to the reply. Any additional information you wish to provide should be included in the attachment, not added to the text of this email.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at [www.usac.org/sl](http://www.usac.org/sl).

4/25/2011

Attachment D (page 4)

Thank you.

Here is the information you submitted:

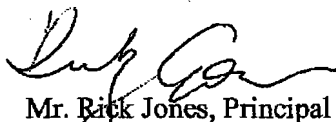
*[FirstName]=Janelle [LastName]=Morgan [JobTitle]=Consultant [EmailAddress]=janelle@elitefund.com [WorkPhone]=8007059703 [FaxPhone]=8157179761 [PreviousCaseNumber]=0 [FormType]=Other [Owner]=TCSB [DateSubmitted]=1/28/2011 9:05:14 AM [AttachmentFlag]=Y [Question2]=I am submitting an Invoice Deadline Extension Request for Covert Public Schools (BEN 131327). Thank you.*

**Service Deadline Extension Request  
BEN: 131327 (Covert Public School District)**

<b>Contact Person's Name:</b>	Mr. Rick Jones
<b>Contact Information:</b>	35323 M-140 Highway Covert, MI 49043 <a href="mailto:jonesr@covertps.org">jonesr@covertps.org</a>
<b>Form 471 Application Number:</b>	635902
<b>Funding Request Number:</b>	1759496
<b>Service Provider Name:</b>	All-Tronics
<b>Service Provider Identification Numbers (SPIN):</b>	143004332
<b>Reason for Service Deadline Extension Request:</b>	Covert Public Schools thought that because the Data Retrieval Tool indicated the last day to invoice was 1/28/2011 that this also meant the last day to install the equipment. The school has desperately needed this phone system upgrade but could not afford to pay their 10% until January 2011. We were unaware that a Form 500 and a Service Delivery Deadline Extension Request was needed in order to extend the installation of this work. We ask that you strongly consider this request as we cannot afford to pay for this phone system without the help of E-rate funds.

Thank you very much for your consideration of this request. If you need any additional information, please do not hesitate to contact me.

Sincerely,



Mr. Rick Jones, Principal  
Covert Public Schools  
(269) 764-3720

**Janelle Morgan**

---

**From:** sldnoreply@sl.universalservice.org  
**Sent:** Friday, January 28, 2011 11:30 AM  
**To:** janelle@elitefund.com  
**Subject:** RE: Initial Contact- Case 22-158818

Thank you for your inquiry. Your request has been forwarded to the appropriate department.

If you have any further questions, please feel free to contact our Schools and Libraries Helpline at 1-888-203-8100. Please remember to visit our website for updates: <http://www.usac.org/sl>

Thank you,  
Schools and Libraries Division  
Universal Service Administrative Company

-----Original Message-----

From: janelle@elitefund.com  
Subject: Initial Contact

[FirstName]=Janelle  
[LastName]=Morgan  
[JobTitle]=Consultant  
[EmailAddress]=janelle@elitefund.com  
[WorkPhone]=8007059703  
[FaxPhone]=8157179761  
[PreviousCaseNumber]=0

[FormType]=Other  
[Owner]=TCSB  
[DateSubmitted]=1/28/2011 9:02:12 AM  
[AttachmentFlag]=Y[Question2]=I am attaching a service deadline invoice extension request for Covert Public Schools (BEN 131327). Thank you.

Attachment e (page 3)

**Janelle Morgan**

---

**From:** Janelle Morgan [janelle@elitefund.com]  
**Sent:** Friday, January 28, 2011 9:10 AM  
**To:** 'sldcaseattachments@sl.universalservice.org'  
**Cc:** 'JONES, RICKY'  
**Subject:** RE: SLD Inquiry #: 22-158818 Received  
**Attachments:** Signed Service Extension Request - Alltronics.pdf

Please see the attachment; thank you!

**Janelle Morgan**

Elite Fund, Inc.

Phone: (989) 283-1200 or (800) 705-9703

Fax: (815) 717-9761

406 N. State St., PO Box 125

Stanton, MI 48888

Consultant Registration Number: 16043589

E-mail: janelle@elitefund.com

Web: www.elitefund.com

"Grow and Expand Educational Opportunities Through Technology"

---

**From:** sldcaseattachments@sl.universalservice.org [mailto:sldcaseattachments@sl.universalservice.org]  
**Sent:** Friday, January 28, 2011 9:04 AM  
**To:** janelle@elitefund.com  
**Subject:** SLD Inquiry #: 22-158818 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-158818.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

You indicated in your submission that you wish to send us an attachment. To submit an attachment, please reply to this message and attach your attachment to the reply. Any additional information you wish to provide should be included in the attachment, not added to the text of this email.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at [www.usac.org/sl](http://www.usac.org/sl).

4/25/2011

Thank you.

Attachment e (page 4)

Here is the information you submitted:

*[FirstName]=Janelle [LastName]=Morgan [JobTitle]=Consultant [EmailAddress]=janelle@elitefund.com [WorkPhone]=8007059703 [FaxPhone]=8157179761 [PreviousCaseNumber]=0 [FormType]=Other [Owner]=TCSB [DateSubmitted]=1/28/2011 9:02:12 AM [AttachmentFlag]=Y [Question2]=I am attaching a service deadline invoice extension request for Covert Public Schools (BEN 131327). Thank you.*